



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No.10/694,080
 Filing Date10/24/03
 InventorshipRelyea et al.
 Assignee..... Microsoft Corporation
 Group Art Unit
 Examiner
 Attorney's Docket No. MS1-1779US
 Confirmation No.4089
 Title: Programming Interface for a Computer Platform

PETITION TO SUSPEND RULES PURSUANT TO RULE 1.183

To: Commissioner for Patents
 PO Box 1450
 Alexandria, Virginia 22313-1450

From: Steven R. Sponseller (Tel. 509-324-9256; Fax 509-323-8979)
 Customer No. 22801

Applicant submits that the subject application was filed under extraordinary circumstances. The application contains content from a Software Development Kit (SDK) for the Microsoft® Windows® Code-Named "Longhorn" operating system. The SDK contains documentation for the Microsoft® Windows® Code-Named "Longhorn" operating system.

The application was filed with two duplicative sets of three compact discs (CD-Rs) each labeled "Copy 1" and "Copy 2". The two sets of compact discs are identical. The compact discs in each set, and files stored thereon, may be read using a Windows®-based computing device (e.g., IBM-PC, or equivalent) that executes a Windows®-brand operating system (e.g., Windows® NT, Windows® 98, Windows® 2000, Windows® XP, etc.). The first compact disc in each set of three compact discs (CD 1 of 3) includes a file folder named "lhsdk" that was

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lee@hayes plc 509-324-9256

1 created on October 22, 2003; it is 586 Mbytes in size, contains 9,692 sub-folders,
2 and contains 44,292 sub-files. The second compact disc in each set of three
3 compact discs (CD 2 of 3) includes a file folder named "ns" that was created on
4 October 22, 2003; it is 605 Mbytes in size, contains 12,628 sub-folders, and
5 contains 44,934 sub-files. The third compact disc in each set of three compact
6 discs (CD 3 of 3) includes a file folder named "ns" that was created on October
7 22, 2003; it is 575 Mbytes in size, contains 9,881 sub-folders, and contains 43,630
8 sub-files.

9 Due to the large number of files stored on these three compact discs,
10 including a paper statement of all the files contained on the compact disc including
11 their names, sizes in bytes, and dates of creation would require several thousand
12 pages of paper.

13 Accompanying this petition are two duplicative compact discs labeled
14 "Copy 1" and "Copy 2". The two compact discs are identical. The two compact
15 discs, and files stored thereon, may be read using a Windows®-based computing
16 device (e.g., IBM-PC, or equivalent) that executes a Windows®-brand operating
17 system (e.g., Windows® NT, Windows® 98, Windows® 2000, Windows® XP,
18 etc.). Each compact disc conforms to the International Standards Organization (ISO)
19 9660 standard, and the contents of each compact disc is in compliance with the
20 American Standard Code for Information Interchange (ASCII). Each compact disc
21 stores the following three files:

<u>File Name</u>	<u>Size</u>	<u>Date</u>
TABLE1.TXT	5,181,563 bytes	8/19/04
TABLE2.TXT	5,756,136 bytes	8/19/04
TABLE3.TXT	5,054,712 bytes	8/19/04

1 Each of these three files contains a table that has more than 50 pages of
2 text. These tables list the files included on the two duplicative sets of three
3 compact discs (CD-Rs) each labeled "Copy 1" and "Copy 2" filed with the
4 application.

5 As required in the Notice to File Missing Parts for the present application,
6 accompanying this petition is a statement listing all the files contained on the sets
7 of three compact discs filed with the application, including their names, sizes in
8 bytes, and dates of creation and a preliminary amendment listing all the files
9 contained on the sets of three compact discs filed with the application, including
10 their names, sizes in bytes, and dates of creation for the specification.

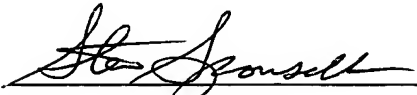
11 Applicant hereby requests, pursuant to Rule 1.183, suspension of Rule
12 1.52(e)(3)(ii) to allow the transmittal letter listing of all the files contained on the
13 sets of three compact discs filed with the application, including their names, sizes
14 in bytes, and dates of creation, to be submitted in the tables on the accompanying
15 discs. Applicant further hereby requests, pursuant to Rule 1.183, suspension of
16 Rule 1.52(e)(5) to allow the specification listing of all the files contained on the
17 sets of three compact discs filed with the application, including their names, sizes
18 in bytes, and dates of creation, to be submitted in the tables on the accompanying
19 discs.

20 Applicant's counsel, Allan Sponseller (Reg. No. 38,318), discussed this
21 matter with Michael Lewis of the USPTO on August 17, 2004. Submission of this
22 petition along with the tables on the accompanying duplicate discs and
23 accompanying amendment to the specification was determined to be the most
24 appropriate course of action to ensure compliance with the filing requirements.
25

1 The Office is hereby authorized to charge petition fees set forth in § 1.17(h) to
2 our Deposit Account is 12-0769.

3 Respectfully submitted,

4
5 Dated: 8-30-04

6 By: 
7 Steven R. Sponseller
8 Reg. No. 39,384
9 (509) 324-9256 ext. 250